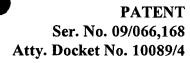
NOTICE OF ARPEAL FROM THE EXAM BOARD OF PATENT APPEALS AND IN	INER TO THE	Docket Nur	nber (Optional)	DEC
I hereby certify that this correspondence is being	In re Application			
deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Assistant Commissioner for Patents, Washington D.C. 20231" on	Mikio Katsube,	Mikio Katsube, et al.		NOV 2 6
	Application Number F		Filed	TECH CENTER
	09/066,168		April 24, 1998	
Signature	For			RECE
Typed or printed	PERMSELECTI	VE MEMBRANE I	MODULE	
Name	Group Art Unit	Examiner		NOV 2
	1723	Ana M. Fortuna		TC 1
Applicant hereby <b>appeals</b> to the Board of the examiner.	Tatent Appears	and interioren	ces nom the t	
The fee for this Notice of Appeal is (37 CFR 1.17(b))	- No fee due per M	PEP § 1208.02		\$ <u>- 0 -</u> .
Applicant claims small entity status. See 37 C is reduced by half, and the resulting fee is:	CFR 1.27. Therefore,	the fee shown abo	ve	\$
A check in the amount of the fee is enclosed.				
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Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

forms if more than one signature is required, see below\*.

★Total of 2 forms are submitted.



## THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS:

Mikio KATSUBE et al.

**RECEIVED** 

SERIAL NO. :

09/066,168

NOV 2 6 2002

**FILED** 

April 24, 1998

TECH CENTER 1600/2900

FOR

PERMSELECTIVE MEMBRANE MODULE

**GROUP ART:** 

1723

EXAMINER:

A. Fortuna

RECEIVED

NOV 2 6 2002

TC 1700

Assistant Commissioner for Patents Washington, D.C. 20231

## **SECOND NOTICE OF APPEAL**

Sir:

All finally rejected claims in the decision of the Examiner dated <u>August 27, 2002</u>, are hereby appealed to the Board of Patent Appeals and Interferences.

This is the second appeal filed in this case, following the September 11, 2001 re-opening of the case for further prosecution following the filing of Applicants' first Appeal Brief. The Applicants believe no fees are due, consistent with the direction provided in The Manual of Patent Examining Procedure, § 1208.02, which notes, in pertinent part, that "if prosecution was reopened prior to a decision on the merits ... the fee paid for the notice of appeal, appeal brief, and request for oral hearing (if applicable) will be applied to a later appeal on the same application."

Notwithstanding the Applicants' belief that no fee is due for the filing of this Notice, the Commissioner is hereby authorized to charge payment of any additional fees and/or patent application processing fees required under 37 C.F.R. § 1.16 and § 1.17 or credit any overpayment to Deposit Account No. 11-0600.

Respectfully submitted,

Dated: November 22, 2002

Mark H. Neblett (Reg. No. 42,028)

KENYON & KENYON 1500 K Street, N.W., Suite 700 Washington, D.C. 20005-1257 (202) 220-4200 (202) 220-4201 (facsimile)